

The Gant County Fiscal Court met in Regular Session on Monday, April 16, 2007, at 7:00 P.M. at the Grant County Courthouse in Williamstown, Kentucky 41097, with Richard Austin, Magistrate 1st District, Present; Brian Linder, Magistrate 2nd District, Present; Bobby Young, Magistrate 3rd District, Present, and Hon. Darrell Link, County Judge/Executive, Present and Presiding.

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Judge Link opened in prayer and then led in the Pledge of Allegiance. Those present were: Bernard Mardis-Cable TV, James Perkins, Charlie Phillips and Bud Clancy.

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Motion of Brian Linder and seconded by Bobby Young it is hereby ordered to approve the minutes of the April 02, 2007, meeting as presented.

The following votes were taken: Richard Austin, Magistrate 1st District, votes Yes; Brian Linder, Magistrate 2nd District, votes Yes; Bobby Young, Magistrate 3rd District, votes Yes; and Hon. Darrell Link, County Judge/Executive, votes Yes.

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Judge Link presented for review and approval the Claims in the General Expense Fund, Road Fund, Jail Fund and L.G.E.A. Fund, for the month of April, 2007, along with the transfers needed to pay said claims. He then asked if there were any questions.

Motion of Richard Austin and seconded by Bobby Young it is hereby ordered to approve Claims No. 01-1212 thru 01-1273 in the amount of \$49,214.02 paid out of the General Expense Fund; Claims No. 02-333 thru 02-352 in the amount of \$20,415.07 paid out of the Road Fund; Claims No. 03-459 thru 03-469 in the amount of \$41,940.01 paid out of the Jail Fund; and Claims No. 04-0000017 in the amount of \$500.00 paid out of the L.G.E.A. Fund, for the month of April 2007, along with the transfers presented to pay said claims.

The following votes were taken: Richard Austin, Magistrate 1st District, votes Yes; Brian Linder, Magistrate 2nd District, votes Yes; Bobby Young, Magistrate 3rd District, votes Yes; and Hon. Darrell L. Link, County Judge/Executive, votes Yes.

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Judge Link presented the Building Inspector's Report for March. It is as follows: No action is required. He also presented the Canine Control Officer's Report for March 2007, and his Quarterly Report for January thru March 2007. They are as follows: No action is required. Judge Link also mentioned a letter he had received from someone complimenting the Animal Shelter and Canine Control Officer. Magistrate Austin mentioned that a donation had been made by someone in their will, and Judge Link again updated that anyone wanting to make donations to the Shelter could go thru the Friends of the Animal Shelter which is a corporation and that all donations are tax deductible.

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Judge Link presented the County Treasurer's Monthly Cash Position Report for March 2007. No action is required. He also stated that the County Treasurer's Quarterly Financial Report for January thru March 2007 will be deleted until the next meeting since the County Treasurer had not had time to prepare it for tonight.

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Judge Link informed the Magistrates that they had a copy of the March 13th Minutes of the Grant County Industrial Development Authority and a copy of the latest Jail Inspection Report in their packets to take home to review. He then announced that Open discussion for the "Good of the County" would be at this time and said that anyone who wanted to address the Court could do so. Charlie Phillips and Bud Clancy were both present to discuss the proposed county-wide Comprehensive Care Plan Update. They are very concerned about the language in the Plan. Mr. Phillips said that he is always interested in looking out for property owner's rights. He discussed his concern with Page

2 of the Plan regarding Agricultural and Rural Residential as shown in the shaded areas on the Land Use Map. These areas are characterized by very low density and population, agricultural production and public water, but no public sewer. The Road System is suitable for sustaining farming activities but not for residential development. The sale of building lots on existing county roads is recommended at the rate of one lot for each 40 acres held in reserve for Agriculture. He said that five years ago when they went thru the Comprehensive Plan Update they met with each Magistrate that was here at the time and got the Agriculture One reduced to five acres. He is very interested in seeing that stay at 5 acres and they are submitting that this paragraph be deleted from the Comprehensive Plan, but said that doesn't always happen. Another issue is the farm roads in the county. He asked if we were maintaining any farm roads in the county. Under Chapter 10 on unincorporated areas in the county-Future Land Use Transforming Grant County, one public hearing at a time, but in the back it is talking about unincorporated Grant County which says "Further expansion of urban type development into rural areas is not encouraged. Rural residential development other than allotting rural land on existing farm road frontage is encouraged". He asked for a definition of farm roads, and he hasn't received that yet. He also asked that the last sentence be deleted which is "Rural Residential Development should be clustered to the extent that excess points is consolidated rather than a piano key style of cutting lots on an existing road frontage with individual driveways for each lot". He doesn't know if they have done that either. He mentioned the April 05th edition of the Grant County News and said that the unincorporated area of the county has less police reports of less injuries in the accidents, non-injuries is way less out in the county, citations issued is about the same as Dry Ridge

and Crittenden. From what he gets from this, is maybe we should be encouraging more of these good law abiding citizens to locate out in the county. He appreciated the opportunity to come before the Court and present this. Hopefully, there is a meeting Thursday of next week to bring this to a close, and hopefully they will see the Fiscal Court there in the Courtroom. He also said the gentleman putting this Comprehensive Plan together made the statement one night that for agriculture in the county truck farming would be the way to go. He doesn't know how much truck farming there is, but an acre of tobacco at 2,500 pounds at \$1.60 a pound would produce a whole lot more money than four or five acres of corn or beans or anything that he could mention. Also he thinks Agriculture in the county for a young man would be one of the best deals around for now. Since the tobacco Program was closed the profit on a pound of tobacco at 2,500 pounds an acre would be about eighty five or ninety cents, about ten or fifteen cents more than when we had the tobacco program. Also the price of cattle in the county- a good cow and calf by her side, at an auction now would bring anywhere from \$1,200.00 to \$1,800.00 or \$2,000.00, as opposed to four or five years ago when it would be \$800.00 to \$1,200.00. Agriculture in the county for a young man has been revived as far as he can see and he thinks we should encourage that-not discourage that as is happening in this Comprehensive Plan. Mr. Bud Clancy then spoke. He stated that he wanted to approach this somewhat differently. A few years ago in 1966 when the Comprehensive Plan was originally started in the overall Plan Program in the state, this body was required to review the Comprehensive Plan, the Subdivision Plans and the Zoning Ordinances, and now the Court is only required to review the Zoning Ordinances. This Plan will not come to Fiscal Court, and they have no approval authority over it. It has

been given away. Judge Link asked that he identify how it was given away. He said that he did not know. He hasn't been able to track that. Judge Link said it was not this body that did that, wouldn't he agree. Mr. Clancy said that he would suspect that it was the Planning Authorities who went to the State and had the State Ordinances changed to remove that authority. Judge Link said the State KRS is what changed it. The General Assembly changed it. Mr. Clancy said the General Assembly does not change that which the people don't want changed or somebody stimulates the change. Judge Link said that you could argue differently there, Mr. Clancy. They pass a lot of things that people don't want. Mr. Clancy said he would argue that point, but not now because he is going to do some comprehensive research on that and find out who did initiate that change. Judge Link said that would be great. He just wanted to point out to the audience that it was not this body, and Mr. Clancy said, No. No. He is sorry. He did not mean to imply that the Court gave away their authority. He is sorry if anyone gathered that. Judge Link then thanked him. Mr. Clancy said that what he wants them to concern themselves with tonight and he asked them to give deep consideration to, is the unintended consequences of this Plan. If you have not had an opportunity to read that section, it talks about, as Charlie said, recommends at a rate of one lot per each 40 acres held in reserve for agriculture, therefore anyone owning 40 acres of agriculture land is excluded from cutting out a lot, if you read this literally. Anyone with less than a total number to include the size of the lot plus 40 acres is excluded. Now this says to us here in the county your children may not have a lot. You can't cut out a lot for your kids to build on unless you have 40 acres that you can keep in reserve, and how long does that reserve last. What is the intent of the Reserve? Must it be an active Agricultural Use, or a

passive Agricultural use. This borders on taking without compensation. He asked the Court to use their influence to the Planning Board to give this serious consideration and thanked the Court. Judge Link thanked Mr. Clancy and said he appreciated them being here. The Court is very concerned with the draft proposal they have read from thus far and he will speak for the Court and then they may speak for themselves. They have already raised these issues to the Chairman and the Administrator of the Planning Commission body as well, and the Magistrates will be attending the meeting, the next two meetings, where this draft will be reviewed. It will not only be reviewed on Thursday the 26th but also on Monday the 23rd after the Planning & Zoning meeting at 7:00 PM, providing their input individually and collectively, he believes. He is sorry if this has caused them some concern, but he thinks the interesting thing is, he believes, they all are in agreement and he thinks possibly these issues will be resolved. He said again, they were reading from a draft, a working document that certainly isn't final yet, but they are right in pointing out that this body and these gentlemen collectively and the people they represent should be concerned and that they should use their influence appropriately to the person and he believes that they will. He then asked the Magistrates if they wished to address this gentleman or either one of them and said they may do so or should. Magistrate Linder said unfortunately they have been meeting on Monday nights, obviously when the Court meets, but said that the Court did not have a meeting this Monday night because of their being five Mondays in April, therefore he will be attending and he thinks all of them will be attending Monday night. Judge Link said all but the Judge, and on Thursday night they will be there also. Mr. Clancy had the newspaper and updated on the Notice in the paper which said the meeting will be held on

the 23rd, but there is no mention of the Comprehensive Plan. Judge Link said he believes it was communicated to the Court that they would be taking input from the Magistrates on that evening. Mr. Clancy thanked the Judge. Judge Link said he did not know what was advertised but it was communicated to them that it would be appropriate for the Court to attend both meetings, the 23rd being on Monday at 7:00 PM, and on the 26th being on Thursday at 7:00 PM. Magistrate Young thanked both men for giving the Court their input and for coming to the Court meeting and giving them some topics that they do need to think about and for voicing their opinion. Magistrate Austin said he appreciate their concerns and he planned on being there but he doesn't know how much influence they will have on them, that remains to be seen. They will certainly give them some input on it and there are a couple of other things he has a concern on which they discussed a little bit at the last Caucus meeting. Mr. Phillips asked who was at that meeting. Judge Link said that Mr. Lawrence, the Chairman of the Planning Commission, and Becky Ruholl, the Administrator, were there. The Court had invited them to the Caucus meeting because they wanted to have an exchange with them to try to understand what it was that they were trying to accomplish. We believe that we understood. We were able to convey to them our very strong opinions as to what they should do or should not do in some cases, and just to point of order to the comment that Mr. Clancy pointed out about that not being advertised, they are advertised as meeting regularly on the 23rd, and so at those meetings obviously they can talk about anything, so they have met the spirit of the law. Mr. Clancy said in each case in the past it has been itemized. Judge Link responded "because it was probably a specifically called meeting, but that is for them to answer. It is not for us to make an assumption". Mr. Phillips again said that as

he reads thru the Comprehensive Plan, especially Chapter 10, it is very, very dear to his heart because his father and mother were farmers and his family has been in the farming business since he can remember and he is interested to see that property owners out in the county get a fair shake, to reap the benefit of their labor for the years to come, but throughout this document there has been words used that really he has never ever heard associated with land. He said that one that comes to mind is ripeness. It mentions something becomes ripeness or ripe and that would generally mean if your tobacco crop is ripe it is time to cut it. If the apples are red or golden it is time to pick them. The word ripe to him is for maturity of plants and he has never, ever heard it said that real estate as being ripe, and he thinks it can be lots, lots better. He feels the Commission could have done a lot better job of picking someone to write this Plan than what they did, but he will bring that to their attention again. Judge Link asked if anyone else needed to address the Court. No one did. He then asked the Court if they had anything. Magistrate Linder said the Chamber banquet was nice and he congratulated Lescal Taylor for being chosen as “Grant Countian of the Year” for his volunteer work. He is glad to see him get recognized. Magistrate Young said congratulations to all of the winners and thanked all who had worked behind the scenes decorating etc., and also said it was very nice.

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Judge Link reminded the Fiscal Court that there will be a Public Properties Corporation meeting immediately after this meeting, and that the next Caucus meeting will be at 5:30 P.M. on Monday, April 30, 2007, and that the next meeting of the Fiscal Court will be on Monday, May 07, 2007, at 7:00 P.M. Judge Link did wish Bernard Mardis a Happy Birthday and thanked him for the good job he does in videoing the Fiscal Court minutes

for the Cable TV.

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Motion of Brian Linder and seconded by Richard Austin it is hereby ordered to

Adjourn until Monday, May 07, 2007, at 7:00 P.M.

The following votes were taken: Richard Austin, Magistrate 1st District, votes Yes; Brian Linder, Magistrate 2nd District, votes Yes; Bobby Young, Magistrate 3rd District, votes Yes; and Hon. Darrell Link, County Judge/Executive, votes Yes.

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GRANT COUNTY JUDGE/EXECUTIVE